

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

May 23, 2011

7:00 p.m.

The Council and all in attendance recited the Pledge of Allegiance.

President Pucci: "Mary-Jo, will you please call the roll?"

Clerk Banish: "Tony DeMarco."
"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Here."
Councilman Patta: "Here."
Councilwoman Gallagher: "Here."
Councilman Magrey: "Here."
Councilman Tanski: "Here."
Councilman Murphy: "Here."
Councilwoman Pucci: "Here."

President Pucci: "Before we have the reading of the agenda we're going to amend our agenda this evening. It was brought to our attention earlier today that our moratorium on the internet cafes was due to expire this week. This is a moratorium that we first passed last fall. We extended it again earlier this year in January. So we're going to extend it one more time. As everyone knows, we're waiting for the State of Ohio to make a determination. So at this point in time I need a motion to amend our agenda this evening to add Ordinance 2011-36, Amending Section 1 of Ordinance 2010-51, as amended by Ordinance 2010-65, and as amended by Ordinance 2011-11, entitled, 'Establishing a temporary moratorium on the acceptance and processing of applications for permits for sweepstakes terminal cafes, or any premise that wish to contain computerized sweepstakes devices, and the issuance of such permits, and declaring an emergency.'"

Councilman Magrey: "Move to add 2011-36 to the agenda."

Councilman Tanski: "Second."

Clerk Banish: "To amend the agenda, Tony DeMarco."
"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

President Pucci: "Next we'll have the reading of the agenda. Approval of minutes of February 28, 2011; public session; reports of committees, commissions and boards; Council reports; Mayor's report; directors' reports; appointments to Tax Incentive Review Council; public participation for legislative items on agenda only; Ordinance 2011-19, Amending Section 1507.05 of the Codified Ordinances of the City of Brooklyn entitled, 'Residential Smoke Detectors; to require the installation of photoelectric smoke detectors under certain circumstances, and other updates'; Ordinance 2011-29, Amending the Codified Ordinances of the City of Brooklyn by amending Section 538.12(A) entitled 'Firearms' of Chapter 538 Parks and Playgrounds; Ordinance 2011-33, Replacing Section 1369.01 of the Codified Ordinances of the City of Brooklyn entitled, 'Smoke Detectors Required in all residential and multi-family units'; Ordinance 2011-35, To adopt the Cuyahoga County Emergency Operations Plan as all or a part of the City of Brooklyn's emergency operations, as a result of natural and/or manmade occurrences; Ordinance 2011-36, Amending Section 1 of Ordinance 2010-51, as amended by Ordinances 2010-65 and 2011-11 entitled, 'Establishing a temporary moratorium on the acceptance and processing of applications for permits for sweepstakes terminal cafes, or any premise that wishes to contain computerized sweepstakes devices, and the issuance of such permits, and declaring an emergency; other matters that may come before the Council; and adjournment. At this point we'll have a motion for the approval of the minutes of February 28, 2011.'"

Councilman Magrey: "Move to approve."

Councilman Tanski: "Second."

Clerk Banish: "To approve, Tony DeMarco."

Councilman DeMarco: "Yes."

"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."

Councilwoman Pucci: "I'm going to abstain. I went out of town for my son's graduation prior to us getting the minutes, so I did not have a chance to read them. So I'm an abstention. Next we'll have the public session. If anyone has anything to say for the good and welfare of the City of Brooklyn, please step forward to the podium, state your name and address for the record, and please recognize our five minute time limit."

Barbara Paulitzky: "Hi, my name is Barbara Paulitzky, I live at 4795 Tiedeman Road. I've lived there, it'll be 40 years on July 7th. Mrs. Vivolo, a few doors down, moved in about two weeks later. We won't see the next 40 years unless we live well past 100, so this is for the children and grandchildren of us old folks. I wrote this before American Greeting announced it was going to leave for Westlake, so I had to make a few changes. Here goes. I'm guilty. I wasn't paying attention. When I look back at the spring of 2009 that's what I tell myself. On the Friday before the income tax increase issue was to be voted on, a few concerned citizens walked the streets of Brooklyn asking voters to consider the burden a tax increase would be on workers in the city. I'll admit I didn't think of how profound an impact it would have on business. We trusted that those of you in office at the time had considered all the pros and cons of asking for this tax. Apparently you didn't. When we talked to the voters that weekend, many of them agreed that the tax might cause more problems than it would solve; but since they had sent in absentee ballots they couldn't do anything about it. The majority of the voters at the polls voted it down, and it only passed by 43 votes. One Councilman reprimanded us for being sneaky and passing out literature at the last minute. But believe me, that wasn't the case. Had we been vigilant, and started talking to residents sooner, we wouldn't have this issue now. It won't happen again. I'll be more vigilant. Why would any elected official tell a voter and taxpayer they don't have the right to an opposing view? When voters have all the information, they can and do make the right decisions. American Greeting was never mentioned at the time this issue was presented to voters. But each time I asked you to respond to revisiting this issue, you hid behind them as a reason you can't talk about it. Who will you hide behind now? Put this issue back on the ballot, admit your mistake. If you don't get it right this time, what's going to happen to our Brooklyn? Thank you."

John Bundy: "Good evening, my name is John Bundy, I live at 9211 Torrance Avenue. I'd like to thank everyone for their efforts in trying to keep American Greetings in Brooklyn. I am grateful for the negotiating efforts of Mayor Balbier, Council President Pucci, and Economic Development Director Fran Migliorino. On the I-90 freeway there is a sign with clever sayings, and right now it says, 'Ruin and recovery come from within.' And I thought that was very appropriate for Brooklyn. Because I am past the disappointment; I'm already hopeful for my town's recovery. Looking forward, we have three years to collaborate, plan, document, and execute putting Brooklyn's best foot forward, for who will succeed American Greetings on this site at One American Road. We have a great opportunity to build the future of Brooklyn and revitalize the community. There is a substantial building worth a lot of money, and a lot of land to develop. We will have the support and efforts of American Greetings to fulfill this; and we are grateful for their interest in making our future a priority. In this regard I would also like to thank those people of the community who took the time to portray Brooklyn as a business friendly community to American Greetings. Those who went to the brooklynlovesamericangreetings.com website and signed up, those who signed the neighborhood petitions urging American Greetings to stay, and local support from the religious community. Councilman Tom Murphy, and several Brooklyn School Board members, are some of the public officials included in this support. I would also like to support, or like to thank, Parma Mayor Dean DePiero, and the Parma City Council, who unanimously passed a Resolution urging American Greetings to stay. We're not just grateful for their support, but for their willingness to demonstrate that Brooklyn is always a business friendly city. Everyone in Brooklyn knows what a great location we have. We also have a great community. Thank you."

Dir. Chessar: "Mrs. Pucci, may I interrupt for a second for announcement please?"

President Pucci: "Yes."

Dir. Chessar: "I've been informed that tornado warnings have been issued for a lot of communities that surround us. Sirens are going off in some of the communities. I'd just like to inform everyone that, so far, I haven't heard anything about Brooklyn, but in case we do have to evacuate this particular area, we should all orderly move down to the first floor of this building. So just, I don't want to scare anybody, but if you look outside, it might be coming our way too. So I just want to make everyone aware of that."

President Pucci: "Thank you Safety Director."

Dir. Chessar: "The warnings are for southwest Cuyahoga County."

President Pucci: "Thank you."

Megan Schuster: "Hi there, my name is Megan Schuster, (and I'm Ashley Santana.) We're currently seniors at Brooklyn High School, and we would just like to thank Mayor Balbier and the members of Council, as well as the members of the Charter Review Committee and the City Hall employees as well, who gave interviews for three different senior video research projects."

Ashley Santana: "Video one involved the American Greetings' decisions on whether they will be moving or not. Video two involved the Charter Review Committee; and video three involved the growth of businesses in Brooklyn. All three of the videos will be broadcast on Brooklyn TV throughout the months of June and July. Thank you."

John Pacek: "John Pacek, 4758 Rodoan. A few years ago, I'd written letters and asked Council and told them to put more police in Brooklyn. I do believe I wanted six; they've added two more. I want to read a part of this code here on lights, motor vehicle lights. The last meeting that I attended I said that lights have to be on when your wipers are on. But even previous to that, 'front to use lights.' Lights must displayed between sunset and sunrise and during any periods of rain, snow, fog, or any other unfavorable atmospheric conditions, regardless of the time of day. Lights also need to be used at any time when natural light conditions do not make it possible to see objects 1,000 feet ahead. Lights must be used whenever windshield wipers are used. I drive the freeway a lot, and the roads, and it seems to me, people seem to think that they're going to wear their battery out or something. It's a safety feature. Turning your lights on makes it possible for people to see you. If you think more of your car's battery, which is not through anyways, it runs off the alternators, I last time said. To pay for these additional police, all you have to do is put them on patrol over here when it's raining, issue tickets. I'm not for issuing tickets, but it's a safety feature. It's as much a safety feature putting your lights on when it's adverse weather conditions, as it is speeding or crossing the double yellow line, or any other thing. I believe that by putting police on 480 and just enforcing the laws that are safety issues, like putting your lights on, will help pay for the police. And another thing you have to realize is that your automobile insurance is based on the community where you live at as to how many accidents they have in that community. They're not basing it on the people who live in the community, they're basing it on the accidents in that community. So if we can reduce accidents, you can also reduce your automobile insurance. Now color of lights. What color lights can you put on your car? The safety forces use blue and red, okay. Let me read. 'No vehicle shall be equipped with a light of any color other than white or amber.' White or amber. Not blue or green. I don't know where these people come around, they got these blue lights, they're standard issue on some vehicle, but they're illegal as far as I'm concerned, according to the law. 'No vehicle shall be equipped without a light of any color other than white or amber mounted on the front except those operating in a special permits public safety vehicles, emergency vehicle, disabled vehicles, ...vehicles and road repair equipment.' So just by enforcing these safety features of light, new lights... I don't know, I'm not color blind I don't think. I see light blue lights and light green lights at night. They're illegal according to this book printed by Digest Ohio Motor Vehicle Laws. Okay, we go to American Greetings. Their loss is... It's their loss if they leave Brooklyn, it's not Brooklyn's loss. They had a chance to diversify, create their own industrial park, and probably not go the way of the postal service and everything. You know the law of diminishing returns is taking effect. Postage is going up, people are not buying cards, they're using the internet. All I hear at Council is, I got an e-mail, I got an e-mail, I got an e-mail. They're not using the postal system. So they're not purchasing cards. It's a very competitive business. What American Greetings fails to realize is location, location, location. We're very close to Route Interstate I-480, I-71, 90, Route 90... All these are Routes not routes. The only thing that beats Brooklyn in Westlake is no right turn on red stopping signs during school days, 7-9 and 2-4. No right turn 7-9 and 2-4 school days."

President Pucci: "Excuse me, Mr. Pacek, you have 30 seconds."

Mr. Pacek: "I've been trying to get Council..."

President Pucci: "You've got 30 more seconds."

Mr. Pacek: "Okay, I'm just about done. I only had one more question, and that's on sidewalk repair. Maybe someone can mention that? I'd like to get my sidewalk repaired. Does the city do anything? It's not the original, but I failed to realize that I've been in Brooklyn for 47 or 48 years. Thank you."

Ron VanKirk: "Hello, my name is Ron VanKirk, I live at 10122 Manoa Avenue. I would first like to thank all the families of our fallen soldiers for their sacrifice for our nation. Memorial Day is a day full of remembrances, parades, families and picnics. As we celebrate this weekend, let us not forget the pain that so many in our nation are going through as a seat at their table will be forever empty. God bless our military and their families. This past week has certainly been a difficult one for our city. I think that we all knew when American Greetings announced in early March that they would stay in Northeast Ohio that their days in our city were numbered. Last Friday those suspicions were confirmed as Brooklyn's largest employer decided to take their business and its 2,000 plus employees to Westlake. While I'm thrilled that American Greetings will not be leaving Ohio or Cuyahoga County, their departure from our city will deal a serious financial blow. With income tax revenue of \$3 million a year, this city stands to lose 13% of its annual budget. I do not claim to know the full reason why our largest employer is leaving, because most of what went on with American Greetings and their decision to leave took place behind closed doors. However, the Plain Dealer stated in an article dated January 7, 2010 that an internal memo was sent to employees stating that they were considering a move to another location. The management of AG stated that the reason for exploring other cities was the increased income tax rate that was put into effect just six months prior on June 1, 2009. I walked the streets, as was mentioned before, and I stood at this very podium on April 27, 2009, one week before the increased tax issue was voted upon, and issued several warnings about why this income tax was a mistake. I proposed at the very least for a sunset clause for this tax increase to expire on December 31, 2010. The increased tax revenue that would have come in in that year and a half would have been enough to relieve Brooklyn of its stated financial emergency. If more funds were still needed, the people of Brooklyn once again have a chance to vote on it. From how the numbers read now, that financial emergency in Brooklyn has pretty well passed, and was passed on December 31, 2010, and thus the tax could have expired. But again, if Council felt the need to expand it, we could have voted on it again. I also said the timing of this increase was poor, and would have adverse effects on our city. Could this sunset clause have kept American Greetings here? If the tax levy had failed would our friends of many years at American Greetings have stayed? I do know now, but it for sure would have helped. When I spoke these words against the tax increase and its possible consequences, I was in the minority in this room. Every single Councilperson that was on Council at that time voted in favor of Resolution 2009-8, 'A Resolution in support of the proposed City of Brooklyn Issue 1', with the exception of Mrs. Gallagher. Unfortunately the tax did pass, as was mentioned earlier, by 43 votes. A little over a month later our tax rates went up. It was a short time later that we got the news that American Greetings was going to leave Brooklyn. For months our city officials met with American Greetings' management. We all kind held our breath and waited for the results. Again, I do not claim to know the intricate details of this meeting that took place with the fine people of American Greetings. The only thing I have to go on as a citizen is what we were told, and the reason they left was partially because of the increased income tax burden. Once the tax was passed, and AG was talking about leaving, I certainly believe that our officials did all that they could to keep American Greetings here. And I do not believe that the increased tax burden is the only reason they left. However, it certainly played a role, and a role that could have been avoided. Yes, in the short term the tax increase has paid off and the city seems to be on somewhat stable financial footing for now; however, at what cost? We are losing the largest employer in Brooklyn. We have got to find better ways to keep our companies here. The temporary cuts that would have been needed to keep taxes stable back a couple of years ago, that I proposed, may have seemed extreme at the time; but now our hand most definitely will be forced, and will be dealt and will be forced, and some of these services that could have been temporarily cut may now have to be permanently cut. I'm sure during this meeting and over the next several months there will be a lot of finger pointing and blame placed upon a number of different people to whose fault their departure is. However, while we must certainly learn from our mistakes of the past, it is time to push forward and come up with new ideas to keep our businesses here in Brooklyn. This city has much to offer, but we must be sure that our city signs read open for business. Increased tax burdens portray the opposite message. I have no doubt that Brooklyn will find a way to

rebound. I am confident of Brooklyn because I am confident in the people of our city. The folks that live here are decent, hardworking Americans that pay their taxes and serve their community. The businesses that are here are the financial lifeblood for our services, and we must make Brooklyn the most attractive city in Northeast Ohio for our companies. Our city must exist to serve its citizens and its businesses, not the other way around. Once American Greetings leaves, there will be a huge office complex available. We must be vigilant in finding a new company to move in. We must find ways to continue cutting expenses, and we must keep working at keeping Brooklyn great. I was certainly disappointed on Friday, as many were, but not discouraged. This new challenge facing Brooklyn is a big one; but it's certainly doable with a lot of prayer, some creative, outside the box thinking, and some good old fashioned hard work. I have all the confidence in the world that we will recover from this, because I have confidence in Brooklyn citizens. As I stated two years ago, Brooklyn is a great place because it has great people. Let's allow our people to show their greatness during this difficult time. I have met many of the citizens of this city, and I know they're at their very best when they're serving other people. Thank you."

Angret Georgi: "Angret Georgi, 9508 Behrwald. First I wanted to a little bit clarify what I mentioned about the VA. The Cuyahoga County Veterans Administration is financed by the Cuyahoga County income tax that we, I mean, county tax that we are all contributing to, regardless who. So having clarified that, they do a valuable service in helping veterans, but not just senior Vietnam veterans and so on, as was stated several times, but all veterans. And if you just think about the income that we all are dealing with, all cities, so is the county, so there is not a bigger pie within the County Veterans Administration. And that is what I wanted to say last time. We need to be mindful what is said sometimes and what can be promised. And the other thing is, I've been for many, many years, because I've worked in the real estate areas as well, frustrated, different point, different issue, with Water Department and Sewer Department charges that we have to deal with. And the kicker was, when the PD had an article a few days ago, that they have to pay debts, and so we have to help pay those off, nobody has audited that department, or the Sewer Department, county or city. I have been... I've looked at their 2008 annual report. Very splashy, wasteful. And you can all have access to that I'm sure. The bottom line is that they have not been audited. There is no real accounting. They are charging people that do not live in the buildings. They are sending sewer bills to homes that are empty. Where the plumbing has been pulled out. And I know somebody who for five years now is battling the Water Department, in a poor section of Cleveland. So neither here nor there, I finally got through to the State Auditor's office. They do not audit these areas either, these two departments. But anyone who is not happy with the bill that he or she receives, call 1-800-282-0515. There's a live person who will take your report. Any kind of paperwork that you have to prove the billing, false billing, or misrepresentation, whatever, you can send in. They will specifically and definitely follow up and help you. Then I just, I keep listening to, as does everybody, and I can understand about American Greetings, that people are upset about a 2.5 income tax, which I voted for, and I have to pay for it. But what you all forget, and this gentleman just now mentioned, very correctly, the memo came from management, the owners of American Greetings, to their staff. It was not their staff that was up in arms. And I know quite a number of people. And no matter what city we work in, or those people that are now moving to, the employees that will have to go to Westlake... Everybody's just looking at, oh, Westlake charges only 1%. Think about it. Who really works just in their city? Everybody going to move to Westlake and pay 1%? No. Many of the employees come from Beachwood, Pepper Pike, Cleveland, all around. And if Westlake charges only 1%, they then have to pay the difference. I worked in Beachwood. I paid 2%, or whatever, it's less than Brooklyn. I paid the difference to what our city tax charges. Will you please think about this. American Greetings needed a little something to have an excuse to do something. And as this gentleman here said, the economy's bad, we don't use, we use e-mail. We don't send cards, we don't buy cards. They needed this. And another thing is, we can't go announcing what we're going to do with that area, it belongs to American Greetings. It was paid for by Daddy a long time ago. It's their properties."

President Pucci: "Excuse me, Mrs. Georgi, you're over five minutes, thank you."

Mrs. Georgi: "Thank you."

Mary Lee Bowen: "Good evening everyone, my name is Mary Lee Bowen, I live at 4783 Tiedeman Road. I first want to thank American Greetings for all the years they have graced our city with their presence and for their contribution to make Brooklyn the great little city it once was. By now all of you know that American Greetings is leaving Brooklyn. That means that we will have lost almost 1/3 of our tax base. Two individuals who are sitting up here behind me were part of the City Council majority that vigorously pushed for the

increase in income tax that has ultimately driven American Greetings out of this city. They are Mr. Balbier and Mrs. Pucci. When Council put the issue on the ballot, Mr. Balbier was Council President, and Mrs. Pucci was President Pro-Tem. We've heard nothing but platitudes from them like, we hope American Greetings will stay, we're doing all we can to keep American Greetings here. I say no, you haven't. No one ever contacted American Greetings before the tax was put on the ballot, which was a terrible affront to American Greetings. And why didn't either one of you contact American Greetings? I believe it's because neither of you has the business experience nor the business acumen to do so. What you have done was irresponsibly push for the tax increase without responsibly warning voters that increased taxes may well drive business out of our city, and would most likely prevent new businesses from coming into our city. In addition, your shabby treatment of American Greetings from the beginning was anything but professional or business like. In the words of our Governor, he basically said you thumbed your nose at American Greetings and just slammed the door in their face, saying what were they thinking about. He said, and I quote, 'The voters ought to be able to have something to say about it.' But have you brought this issue back to the voters? No, you haven't. Yet you have been asked repeatedly, as a show of good faith, not only to American Greetings, but also to all the other businesses in Brooklyn, to put the tax issue back on the ballot this November so that the voters of this city can vote on whether or not to rescind this ill conceived tax increase. Remember, the tax increase passed by a mere 43 votes, which indicates that almost half of the voters of this city were against this tax. I dare say that you pushed this tax to cover up the fact that you, along with other Councilmembers at that time, were not being good stewards of our precious tax dollars. Month after month the city's funds were spiraling deeper into budget imbalance, and yet you did nothing to manage these funds more effectively, or to correct the problem. You actually contributed to the problem by not taking action, by not taking responsibility, and by not being accountable to us, the taxpayers. Even now you offer no plans for how you will retain remaining businesses in our city. And to add insult to injury, you brag about how much revenue you're bringing in through Mayor's Court. You're small thinkers. You're missing the big picture folks. You've just effectively pushed out the biggest contributor to this city's tax base, and you're bragging about Mayor's Court revenues? The irony is this. It's very likely that both of you will be asking us for our votes this November. Why on Earth would you think that voters would want more of your kind of government after you've just driven American Greetings out of Brooklyn? More importantly, how many more businesses will we have to lose before we, the voters, demand and elect better leadership?"

Bonnie Bartczak: "Bonnie Bartczak, 4831 Ridge Road. I'm here tonight to give you a few updates on the schools. We, just like everyone else, is disappointed by American Greetings' decision to leave Brooklyn. The schools will adjust and adapt as we move forward. August we will start another school year, with our top priority remaining the same, giving the students of Brooklyn an excellent education. We look forward to the state report card that will be coming out and being finalized in September, as we are currently rated an excellent school district by the State of Ohio Department of Education. We have been offering Chinese in our Middle School and High School for the past few years, and we are very excited that the principal from our sister school in China will be coming to Brooklyn on May 31st for a visit. This is a great partnership that benefits our students. At our May 17th meeting we honored Mr. Greg Frey for all of his hard work, not only to the city, but to the schools. Thank you again Mr. Frey for all you have done throughout the years. We also would like to commend all the students who received awards academic, sports awards, National Honor Society. We are very proud of you. And we also are very proud of our graduates who will be graduating the first Sunday in June. At the last meeting Kit Krause read a portion of a letter written by our Superintendent Cynthia Walker and Treasurer Marti Ferian to State Representative Tim DeGeeter. We are happy to say we received a reply from State Rep. DeGeeter. He understands our concerns about the discrepancy between potential wealth of a school district and actual wealth. Our next Board meeting will be on June 21st at 6 p.m. This is our summer schedule. We will be at 6 instead of 6:30 p.m. And also, we have changed the date for our August meeting. We are now going to be meeting August 10th at 6 p.m. Thank you."

Ken Demchek: "Good evening my fellow Brooklynites. My name is Ken Demchek, 4623 Winter Lane. And over this past weekend there were people predicting apocalypse. Obviously we're all here. But apocalypse unfortunately has come to this city. I firmly disagree with this lady's comments here this evening. Obviously you know nothing about corporate structure, how to make a payroll, or what it means to run a business. This is not the Mayor's fault. This is not the City Council's fault. Was I opposed to the 2½% tax increase? Yes I was, I voted no. But this is the attempt by a corporation, and the deck was stacked against all these people up here. We're talking about a company that had an interest in Stark Enterprises. A interest. Now, let me ask you something. If you had an investment in something, wouldn't you do whatever you had to do to make that investment better? This is about corporate greed. A 1½% income tax compared to a 2½% income tax."

This is... I am amazed that people have the audacity to blame these people. They did everything they could to keep... The deck was stacked against everybody here in the City of Brooklyn. And, you know, this is a thing about the rich getting richer. I don't know if you know who Mrs. Helmsley is; she's gone on to another place. But she talked about the rich not paying taxes. The rich don't pay taxes. Westlake, really? Really. Westlake is home to many athletes in the city. Their medium income is double what Brooklyn is. It's a rich community. Whatever happened to the anti-poaching agreement that they had among Mayors. But I guess when you have an R in front of your name that doesn't mean anything. You know, all of us in the city try to keep up our property as best as we possibly can. And you know, let me ask you something, if your roof was leaking, would you buy new curtains? That's what this company did. They went ahead, and their corporate facility was falling apart, and they bought a drive-in, and they never did anything with it. Are you serious? This is about mismanagement. Horrible mismanagement. By a national company. I expect everybody in this community to boycott every American Greetings product. Mr. Weiss, you should be ashamed of yourself, holding these people hostage. Hostage. Trying to ruin a community because you want corporate welfare? I'm not buying it. I'm asking everybody in this building, everybody in this community, everybody in this area, to boycott American Greetings products. I know people that work there; they are there because they want a job, not because it's a good employer. Also, I also would hope that this community wouldn't make it real easy for this company. I would make it as difficult as it possibly could. And what I would do is, is we have a friend here in this city who is very caring and really cares about this area, and that is Dan Gilbert. Dan Gilbert has brought jobs to Northeastern Ohio. I would like to extend an invitation to Mr. Gilbert to talk to everybody on this Council, to this Mayor. Let's knock that building down when they're gone, and let's let Dan Gilbert have a shot. He cares about Northeastern Ohio. That's what we need, not companies that don't. Thank you very much."

Bill Anderson: "My name's Bill Anderson and I live at 4338 Rodoan Road. I'll start with what was just said. First of all, I don't totally disagree with you young lady; and yes, I don't totally disagree with you. They are all businesses. We invite them into this city. We invited them in to do business here. They're all, as far as I'm concerned, out to make a buck. That's why they're in business. That's what I've been told. None of us boycott China, who put our whole country into debt, trillions and trillions. But nobody boycotting them. That should have been, and people's asked you to many times. Youse all talk up when it comes time to vote, but youse don't do nothing in the process. Most of the people that came up here tonight only been up here a couple times over the year. Mr. Kinney's been complaining, complained about that income tax for years. Not two years. For a number of years. He complained about the increase in taxes. He gave figures. And of course we got 30 different directions to go in with those figures. And then most of them weren't true. Mr. Kinney's turned out to be mostly true. And he got them, like with the city, got them from the city; and with the school, he got them from the school. Secondly, you had a... Just to give you an example about these taxes. We had a 480 debacle over here, I call it, diverted diamond. Now they hired a lobbyist, they hired Fran, to get money to build it. The federal government again, I'll bring it up again, offered them 12 million, and the state offered them money to build it. Now, at the beginning of this, there were certain Councilpeople that were all in favor of it. I personally didn't want the diverting diamond; but I'm not going to hide behind bull crap, and that's what I feel it is. They turned around at the last minute, I believe it was strictly a political move, to stop it. But it cost the city thousands, tens of thousands. I heard hundreds, but I don't want to throw figures I'm not positive about. I can't always get their figures. But it cost us a lot of money, while we were trying to get an increase in our taxes. I was not running the city. When I said something wrong about a Councilperson I was accused of slander, which was a lie, and I've asked the Law Director, who didn't want to look it up, to look into where the slander was. There is none. I was accused of a lie about going to the federal government about the county. And I lied about that, according to one of these Council... And that was a lie, because I did go to the FBI. And I've said it for some time. So there was never slander. And I will tell you, Miss Pucci, I still challenge you to show me any slander. And the lady's name that the lobbyist they hired was Chris Bene? Is that they way your pronounce it? Thank you. So it's not like, I got it from the horse's mouth, like they say, with no disrespect intended, believe me. I respect you Fran, believe that. Secondly, last Council meeting I came here and I made a state... Oh, here's another thing. We have a, and no disrespect, 'cause I like the Chief, the Chief, we have a Law Director, we have a Mayor, and we have a City Council. And two Councilpeople were accused of lying on their taxes. And I want to know has anybody investigated it? Has any official investigated it, if they're cheating on their taxes? Because they're telling you you better pay yours. And I'll name them right out, the two people that were accused of it was Mr. Tanski, and so I don't get, Mr. DeMarco. I want to make sure I get the names right. And has anybody investigated that? And thirdly and lastly, I made a statement about Mr. Tanski making a statement to a union official about he voted on that Issue 5 when it was up here, and he wasn't present. And then after the meeting he tried to say, well

I've been for Issue 5. You know, you could be for Issue 5, but if you're going to tell me, well I hear you're telling one lie, how do I know which one is the truth? And I have a signed statement from somebody that was a witness to it, and I have someone else's ruling, give me a signed sworn affidavit to it. And I would like a response on that. Thank you."

President Pucci: "Does anyone else have anything to say for the good and welfare of the City of Brooklyn? Okay, we will move forward to reports of committees, commissions and boards. We will begin with the Finance Committee, which is chaired by Mr. DeMarco."

Councilman DeMarco: "Thank you. The Finance Committee met this evening at 6:30 p.m. in the Conference Room. The Finance Committee recommended Ordinance 2011-36 for Council to adopt, entitled Establishing a temporary moratorium on the acceptance and processing of applications for permits for sweepstakes terminals, cafes, etc. We also heard a presentation on a couple of different items from our Economic Development Director. We had update from our Service Director on our street repair program for 2011. And I also brought up, at least to the Finance Committee thinking about establishing a special revenue fund specifically for economic development, as a process to go through that. And obviously in light of what's happened with American Greetings, it should be on our list of things to consider as we go through the next several months. And I believe that concludes my report."

President Pucci: "Thank you. Next is Public Works, which is chaired by Mr. Magrey."

Councilman Magrey: "No report."

President Pucci: "Thank you. Public Safety and Environmental, which is chaired by Mr. DeMarco."

Councilman DeMarco: "I have no report."

President Pucci: "Thank you. Legislative Update, Domestic Violence and Juvenile Diversion, Mrs. Gallagher."

Councilwoman Gallagher: "The next Domestic Abuse Commission meeting will meet on Wednesday, June 22nd at 7:00 p.m. at the Brooklyn Senior-Community Center. Thank you Mrs. Pucci."

President Pucci: "Thank you. Next is the Planning Commission, and our representative to that Commission is Mr. Patta."

Councilman Patta: "Thank you. Good evening. The next scheduled Planning Commission meeting for Thursday, June 2nd has been cancelled due to lack of applications. That concluded my report."

President Pucci: "Thank you. Zoning Board of Appeals, Mr. Ockington."

Comm. Ockington: "Thank you Mrs. Pucci. The next meeting of the Board of Zoning Appeals will be held in Brooklyn Mayor's Court on June 16, 2011 at 7 p.m. That completes my report."

President Pucci: "Thank you. Recreation Board, Mr. Tanski."

Councilman Tanski: "Thank you Mrs. Pucci. Ice Show report. The Recreation Department's Ice Show, Celebrate America, was held on Friday, May 13th and Saturday, May 14th. 90 skaters participated in the event this year with 260 people attending Friday night's performance, 272 attending Saturday night. Summer super sign-up was held Saturday, May 14th and Sunday, May 15th. Registration for Day Camp, Learn to Skate, Learn to Swim, and Dance are still being accepted. Please call the Recreation Center for further information. Memorial Day parade will be held on Monday, May 30th. Information is at Brooklyn Middle School, formation. I'm sorry, formation is at Brooklyn Middle School. Parade begins at 11 a.m. Outdoor pool will open Wednesday, June 1st. Ice removal and chiller maintenance is taking place at the Recreation Center until Monday, June 6th when the summer skating program will begin. Parma Hts. Partnership will start on June 1st. The Recreation Department and Silver Sneaker plan are currently working on setting up a program at the Recreation Center. Details will be announced in the near future. Brooklyn Recreation Department board meetings for June, July and August have been cancelled. And that concludes my report."

President Pucci: "Thank you. School Board liaison, Mr. Murphy."

Councilman Murphy: "Thank you. June 21st at 6:00, take note to 6:00, is the next meeting at the School Board. And they also have on their website details for the Race of the Cure. I think we're going to have it on our website also. That's all I have."

President Pucci: "Thank you. Next we'll move on to reports of Council, and this evening we begin with Mrs. Gallagher."

Councilwoman Colleen Gallagher: "Thank you Mrs. Pucci. Good evening. I'd like to extend my condolences to State Senator Michael Skindell and his family. State Senator Skindell lost his brother Vincent a week ago Friday. Senator Skindell said he will always remember his brother as a quiet and kind man who was deeply devoted to his family."

In response to American Greetings, I would like to thank County Executive Ed FitzGerald who has spoken to State Legislators about an economic exit strategy for Brooklyn. For example, he suggested a reciprocal tax when sites are abandoned because of state subsidy. It is my hope that City Council and the Mayor will meet in the near future with our Economic Development and implement an economic strategic plan for the future of the City of Brooklyn to promote businesses. Today the County Executive Ed FitzGerald announced that the Cuyahoga County Sheriff's Department will soon be working with local police departments by creating a high impact unit made up of 2-10 deputies to help with stakeouts, searches, or anything needed. This will help many departments who are experiencing limiting manpower or budget cuts.

A couple weeks ago I read an article that the Cuyahoga County Council was inviting the San Francisco firm Granicus, Inc. to make a presentation about streaming media to record and archive County Council meetings. According to the Plain Dealer, this company is used by the U.S. House of Representatives and the City of Hudson. According to the article, it can stream meetings in real time to residents' computers or smart phones, and integrate agenda items with video of Council debate in a searchable database. A spokesperson from the City of Hudson remarked that the citizens love it. The cost to the city's current contract is \$7,669.32 she said, and it was not exactly bank-busting. I would like to hold a work shop session and invite this company to make a presentation to the City Council and this administration, and I will contact them, and then I will call you Mrs. Pucci, for a date. And that concludes my report."

President Pucci: "Thank you. Next is Mr. Magrey."

Councilman Joe Magrey: "Thank you Mrs. Pucci. Good evening everyone. First of all I'd like to thank the Brooklyn Fire Department. This weekend I was shopping at Wal-Mart here in Brooklyn, and as I mentioned to Fire Chief Joe Zemek earlier tonight, I was walking through the parking lot and I could smell a very strong odor of gasoline. And a gentleman that had just done some repairs on his car, unfortunately didn't tighten up the fuel filter that he had installed on his car, and there was a pool of gasoline underneath his car. And I went in and I contacted the manager at Wal-Mart, they called 9-1-1 right away, we roped the area off, and the Brooklyn Fire Department was there within minutes. They went ahead and put some absorbent down, and they took care of it right away. And I just want to commend the guys that responded, Chief, if you can relay my thanks. Anyone going by with a cigarette butt, that would have errantly been thrown in that area, it could have been disastrous. It could have blown up that car, and it could have hurt people. So they're quick to respond. Thank you very much."

Getting onto American Greetings. I too was very disappointed to hear about American Greetings and their decision to leave Brooklyn for Westlake. I know that Mayor Balbier and his committee had worked very hard in creating an attractive package to keep them here. I encouraged the Mayor to hire an Economic Development Director, and also to work hand in hand with the county and the state to attract another company here in Brooklyn. Brooklyn is a great city. It is in a great location, and we should be proud of where we're at and the many resources that we have. We're close to the airport, we're close to downtown Cleveland. We can definitely attract another company here. We have about three years to work, a lot of hard work. The gentleman that brought up the fact that, you know, Mr. Gilbert might be a good potential candidate, we would love to see him here. We would love to see Quicken Loan locate or move people from

Detroit right here in Brooklyn, Ohio. It's too bad that American Greetings did what they did. I do know that, from talking to the Mayor, when we offered them this much, they wanted this much. When we talked about rolling back the tax increase, it wasn't good enough for them. So I believe the issue never was a problem with the tax increase. When you look at how businesses run, and income tax does not hurt a company's bottom line. That's basic Business 101. Let me give you an example, for those that do not believe that. There's another city here in Cuyahoga County that in 2010, I believe it was May of 2010. Mayfield Village went ahead at a half percent tax increase. Now you didn't see their major companies yelling and screaming and pouting and, you know, threatening that they were going to leave. You didn't see that. You didn't see Progressive Insurance doing that. So here we are with a neighbor, someone that we have given tax abatement to in the past, someone that we have worked closely with in the past, that has worked hard with our Mayor, or Mayor has tried to work very hard with the executives at American Greetings; no matter what we asked for, like I said, if we offered them this much, they wanted this much. And, you know, we cannot continue to absorb, we could not give more than we were getting. And unfortunately, you know, I hate to see American Greetings go, I am hoping that we could continue to work with them and we could find a company suitable that'll help us, help our tax base, help our city, and help our schools. And it also helps our home values. So I'm sorry to see American Greetings go to Westlake. I do know, you know, looking at the bottom line, they had a lucrative deal. They basically are leaving a 50 year old building. American Greetings' relocation and expansion of Crocker Park will benefit from a series of city and state incentives. Under a deal announced earlier this year American Greetings will receive a state package worth up to \$93.5 million over 15 years. American Greetings will also receive \$15 million of low interest state loan, a \$2.5 million grant to help construction costs, and a \$1 million grant for infrastructure, and roughly \$41 million worth of infrastructure improvements in the Crocker Park area. Those are our tax dollars too, from the state, and local communities. You know, they made out well. The Plain Dealer also asserted that there was a possible tie-in between American Greetings and the owners. I don't know that for a fact; but, you know, it is what it is. You know, take a look at where they moved, take a look at their location. I think it speaks for itself. I do want to say to everyone, have a happy Memorial Day. And that concludes my report."

President Pucci: "Thank you. Next is Mr. Tanski."

Councilman Kevin Tanski: "Thank you Mrs. Pucci. Our great loss of American Greetings was not received well by the City of Brooklyn. I would hope that American Greetings will work with the City of Brooklyn to advertise the future vacancy of that building. Hopefully lease or sell the building to other businesses as soon as possible, to offset or reduce our loss in tax revenue. Mayor, can you comment in your report on how American Greetings, or in what capacity are they going to utilize this building, lease or sell?"

Lastly, I want to share this letter of thanks sent to the Mayor in reference of the Fire Chief. And it reads, 'Dear Mayor Balbier. I am writing to you today to commend you, your staff, and Council in the hiring of Joe Zemek, Brooklyn's new Fire Chief. Chief Zemek made a presentation to Brooklyn Acres Mutual Homes' security and safety committee on April 28, 2011. This was our first opportunity to meet Chief Zemek. To say that we are impressed with his vision and drive would be an understatement. The re-establishment of the Community Energy (Emergency) Response Team for Brooklyn seems like a great way to engage the community to assist the authorities, should assistance be required. He seems to have taken his new post on with enthusiasm and determination required of such an important role. Please feel free to share this letter of thanks with Council. In closing, I would like to offer appreciation of Chief Zemek for taking time out of his very busy schedule to share his vision with us. Thank you again. Sincerely, David S. Peters, general manager, Brooklyn Acres Mutual Homes.' I believe when our staff makes the city shine it should be recognized. Chief Zemek, I want to thank you for a job well done. And that concludes my report."

President Pucci: "Thank you. Next is Mr. Murphy."

Councilman Tom Murphy: "Thank you. I do want to remind everybody of the Memorial Day and the Memorial Day parade. As many of you know, I often respond to each of you directly at these Council meetings. But tonight is different. We all know why tonight is different. In light of the news last week that American Greetings is moving its headquarters to Westlake, I stand before you to say that I, and I trust that everyone in this room, are strongly committed to the economic viability of our community for now and our future. We all know that, supposedly, conversations with American Greetings about moving their headquarters have been ongoing for some time. And we all know that a select few of our elected officials have supposedly been engaged in meetings. A very select few. We were promised transparency, for all the

processes, and I feel that that should have included American Greetings. American Greetings' impact on all of our lives, our community, our children, our future, here in Brooklyn, and that promise was broken. We depend on the leadership of a very select few to ensure that the process of transparency was adhered to; and somewhere along the line, the doors were slammed shut, and the community... And as a result, we heard Thursday, our leadership failed us. Our leadership with the American Greetings discussion failed the taxpayers of Brooklyn.

Many of you know I come from a big family, which is where I learned a powerful lesson, that's how to make lemonade out of lemons. So I want to say to each one of you that I am strongly committed to ensuring that all of us in Brooklyn, without geographic, political or cultural boundaries, have a viable economic future. We can be grateful that American Greetings stayed in Cuyahoga County, and we could applaud the City of Westlake and its leadership for their great negotiation skills in bringing American Greetings to their community. Yeah, we are hurting. But remember, we are all in this together. Brooklyn is our home, our community. It's where we raised our families, and it's where we hope to raise our grandchildren. I stand before you this evening to tell you that I'll do everything in my power to work together with all of you, with American Greetings, and all the business leaders in Brooklyn, and beyond, to ensure that our future is economically viable, and that we are more business friendly to anyone that wants to do business in Brooklyn. Our collective focus has to be on job creation and business development. While it's often difficult, we have to put our differences aside, dispose of our personal agendas, and come together to devise a strategy that will fill the gap that American Greetings will leave when they move to Westlake. We cannot wait. The time is now. We have to be a role model to the next generation of leaders. I invite you to work with me, to work with my team of business, civic and community leaders, to bring our creative and collective energies together, and continue to move forward. Thank you."

President Pucci: "Thank you. Next is Mr. DeMarco."

Councilman Tony DeMarco: "Thank you. I would first like to thank the students at Brooklyn City School that I was able to discuss economic development with, and also the American Greetings situation. I believe, if I remember, there were about eight or nine of them, and I think I asked all of them individually, they're all attending four year schools after they graduate, which is fantastic, and is a credit to our leaders at the school system.

Obviously American Greetings is the topic of the day. The news we received last Thursday was not fantastic, but not unexpected from my point of view. And I've been predicting that for some time. But this is not a time to panic. It is not a time to point fingers. It's not a time to figure out who did what, who did what wrong. The situation is what it is today, and we need to move forward. Over the next several months we will begin to formulate a plan to deal with this loss of revenue. I cannot emphasize how important it is that we all stick together through this tough time. Solutions will not be made by individuals or small groups; this will take the collective efforts of each and every member of our community to make this transition. And I hope we all realize that, despite this announcement, we do have a fantastic community. It offers great services, has a great school system, low property taxes, and most importantly, a fantastic group of residents. At this early stage it would be a disservice to guarantee anything. But I will tell you that I support maintaining all of our current services as they are, including keeping the John M. Coyne Recreation Center and Natatorium open full time, keeping our Senior Center open, and other services that we are known for and our residents come to expect. How are we going to do that? It's going to take a lot of work. But we, I believe we can work together to make that happen. I've been saying for some time now, you know, the one thing that I do believe we lost is two years of time, not planning for the inevitable, which was American Greetings' departure. Everyone else that has spoken tonight had some great points; but this was strictly a business decision that had nothing to do with the payroll tax increase. These folks had an economic interest in the Crocker Park development. They've had that for some time now. And once they positioned the state to get the tax incentives that they've been waiting for for a number of years now, they decided to make the move to Westlake. So although it's been great that they've been in our town for as long as they have, you know, they held out the future advancement of our city for two years while we waited patiently for them to make their decision, and that's unfortunate.

Finally, as someone else had mentioned, Monday is Memorial Day. So please come out and honor the men and women who gave their lives for our country and for our freedoms. The service begins at 9:30 at

Westpark Cemetery, and the parade begins promptly at 11 a.m. leaving from Brooklyn High School. And that concludes my report."

President Pucci: "Thank you. Next is Mr. Patta."

Councilman John Patta: "Thank you. Good evening. There's certainly a lot of very serious issues to discuss tonight, but I wanted to make sure I mentioned the open house at the Fire Station. I had the opportunity to attend the open house with my family. It was a very nice turn out, and it was great to have the opportunity to talk with some of our firefighters and get a tour of the Fire Station. Unfortunately, much to the disappointment of my five year old, rain prevented the helicopter from landing. If you've not seen the Fire Station, please take advantage of next year's open house. Hopefully next year it won't rain and we will be able to see that helicopter.

I had an opportunity to be interviewed by Sean, Christy, and several other students from Brooklyn High School. They had asked to interview me as part of their senior project. My wife is a teacher, and I'm a big supporter of education, and was more than happy to sit down with them for a few minutes so they could complete their senior project. We talked about bringing new business into Brooklyn. We discussed buying from Brooklyn businesses, as well as a need for a full time Economic Development Director. We talked about the need for the city to be proactive and not reactive. We talked about the city taking steps internally so that the city is financially stable, so that when there is a downturn in the future in the economic situation, we do not have to resort to raising taxes. We also talked about what being business friendly really means. We hear that phrase a lot lately, and as a city we need to take steps and actually practice being business friendly. As a city we need to work with business. Business is not our enemy. The lifeblood of the city is its businesses; and the lifeblood of the business is its income. I believe that as a city we have largely ignored some of our local businesses. We have seen the results of increasing our local taxes without talking with and consulting with our local businesses. We've seen the results of taking the easy way out by increasing taxes and not taking a more difficult but prudent course of cutting expenses first.

Let's remember who on Council at that time thought that raising income taxes was a good idea. Let's remember that this tax increase was not set up on a level playing field. Let's remember that most people vote with their pocketbook. Let's remember that this tax increase offered a one mill rollback of property taxes, essentially giving those people with no taxable income a tax reduction, at the cost of those whose incomes were going to be taxed at the new higher rate. Let's remember those who joined me and were publicly opposed at that time to raising income taxes and thought it was a bad idea. Let's ask ourselves how that short-sighted and irresponsible decision to raise our local income taxes has worked out. We may hear that the raising income taxes, and we have heard, was not the only reason why American Greetings is leaving Brooklyn. Only the top executives at American Greetings know for sure. If raising taxes was actually the reason why American Greetings decided to look elsewhere, shame on us. If raising taxes was not the actual reason why American Greetings decided to look to move elsewhere, shame on us for handing American Greetings a reason to leave on a silver platter. Raising taxes should not be the easy way out, it should be the last resort. So the damage is done. What next?

As I've been talking for months, the first thing we need to do is hire a full time economic development director. We need someone working full time to bring jobs back to Brooklyn. Sometime around 2014 we will have about 1 million more square feet of vacant office space in Brooklyn once American Greetings leaves. We need to start now to fill that space, and the other vacant space that we have in our city. We need to work with Gov. Kasich and ask for his help in securing business to come to Brooklyn. We need to take a look at industries, and work with industries that could help lead Brooklyn into the future, like medical and technology fields. We have fantastic medical facilities in our county, and the new Medical Mart makes this the perfect tie-in. We need to make sure that once American Greetings does leave Brooklyn, and in the process taking with it millions of revenue from our city, that we are financially strong enough to take the financial hit. I've also talked for months that we need to have proposed budgets for the next three years, with a 10% reduction in expenses for each of those years. We need to put that into place now. We don't have the luxury of burying our heads in the sand and hope that something will change between now and 2014. We cannot budget the loss of over \$3 million overnight. This is something that needs to be stepped into place. We are certainly not in a condition, excuse me, position, to continue to be reactive. We must be proactive and we must be proactive now. We have already wasted too much time. We are not in the position to ignore our local businesses. I have talked with Mayor Balbier, and have proposed to the Mayor that the city start a

program I am calling Brooklyn Business of the Month. Each month we will choose a local new or existing business to highlight for our city. They will be invited to Council meeting, be recognized by the Mayor and Council, and have an opportunity to talk about their business. We would have an open house one morning at that local business with coffee and donuts, invite the public to the open house, and have an opportunity to tour the facility and learn more about that business. We need to move the city forward. This is just one small step to build better relationships with our businesses. We have a lot to do and not a lot of time to do it. Our clock is ticking, and 2014 is not too far away. That concludes my report."

President Kathy Pucci: "Thank you. First I'd like to offer my condolences to Joni Kemper. Joni was a longtime employee of our city who retired from the city, and Joni's brother Ken Keberle passed away. My thoughts and prayers are with their family. I would also like to thank the Brooklyn Historical Society for hosting the monthly Chamber of Commerce meeting. I appreciate their hospitality. Each time I visit the Museum I see something new, or maybe I should say something old, that I haven't seen before. If you've not been to the Museum, they're open Tuesdays from 10 a.m. to 2 p.m. Please stop by and visit and become a member. This dedicated group of volunteers works hard to preserve our history, and they need our support.

Thank you also to the fire fighters who hosted the pancake breakfast. They did a wonderful job. It was really nice to see the fire fighters, their wives, and their children welcoming our residents into the fire station. The proceeds went to restore our antique fire truck, which I believe is from 1941; and also to Sgt. Cahlik. Thank you also to the students from Brooklyn High School who worked on the video project. It was my honor to participate in their project. I applaud them for taking the time to investigate the current events in our community, explore the issues in-depth, and then formulate a question and answer format television show. I appreciate them taking an interest in their community. And Mr. DeMarco, the group that interviewed me, I also asked them what their plans were, and they are all going to college.

I also attended the Ice Show Saturday evening. It was spectacular. Congratulations to all the participants, their instructors, and their parents on a job well done. Mrs. Gallagher, regarding the Granicus, Mr. Kennedy and I participated in a webinar with that company, and I know that since we initially checked into it their prices have really come down. And we've talked about pursuing that, and there's also another company. So maybe we could coordinate and get all the information together at once."

Councilwoman Gallagher: "Thank you Mrs. Pucci."

President Pucci: "I know the topic on everyone's mind is the announcement by American Greetings, and the uncertainty in our community that surrounds their decision to move to Westlake. Our residents need to know that we as a city did offer every incentive we were able to to entice them to stay in Brooklyn. And I expect the details of our offer to be made public. At the end of the day, the executives at American Greetings made their decision based on not only economic incentives, but also on what environment best suits the vision they have for their future, or to quote from their press release, 'We realize that we must have an environment that more accurately reflects and effectively supports our creative and innovative culture. While all the sites we considered, including our current location in Brooklyn, had attractive features, we couldn't replicate this total experience anywhere else.' And they of course were referring to Crocker Park. It is an understatement that we are very disappointed with this announcement. We were hopeful that they would remain in our community. But let's not forget that we as a community have faced similar adversity in the past. When the Terex plant, Tinnerman Products, and Lamson and Sessions left we persevered, overcame those obstacles, and found ourselves in a stronger position. Over the next two to three years American Greetings has pledged to work with us, the county, and the State of Ohio to do whatever is necessary to fill their existing facility, and/or develop their vacant property to replace the jobs that will be lost when they leave. We intend to hold them to this commitment. And I am optimistic that we as a community will find ourselves in a stronger position.

And just a general response to some of the comments that were made this evening. The issue of the income tax increase was talked about over many, many months. During that time I was the one who expressed concern about the businesses, and had our Economic Development Director contact communities whose residents had voted to increase their municipal income tax. And Mrs. Migliorino investigated and reported back that there had been no negative feedback in other communities. The underlying issue was not the tax increase, it was the fact that communication had broken down, something that we as Councilmembers were not aware of. And the reason we weren't aware of it is because the Mayor of our city is the Chief Executive

Officer of the city, and the only person who can represent and speak for the city. Which also goes to one of Mr. Murphy's comments. The Mayor, by Charter, is the only one authorized to negotiate on behalf of the city. As a showing of political solidarity, Mayor Balbier included the Council President in the negotiations with American Greetings, something that he did not have to do. We are a wonderful community with proud, hardworking residents, and we will survive this setback. It's not going to happen overnight. It's going to take a lot of hard work. But I'm confident we will survive this. And that completes my report. We will move onto the Mayor's report. Mayor Balbier."

Mayor Rich Balbier: "Thank you Mrs. Pucci. I know everybody's waiting to hear what I'm going to say about American Greetings, but I've got a few other items to talk about first. About a month and a half ago our Economic Development Director and myself met with Lowe's, because we heard that they had a grant program. So we sat down with them and talked, and what grants we would be eligible for. And we got a lot of points because we have a Lowe's in our city, and also we have an account with them for our city. So that gave us some extra points. And while we were talking with them they said they like to do a lot of little projects also at the local community, so I had the perfect project for them. I said we have two large planters when you walk in the front door of the City Hall here, and they've been empty since I've been here, and they said that's exactly what they're looking for. So a couple weeks ago they showed up with a crew and they planted everything out there, and it looks beautiful. So the people that are here tonight, when you walk out take a look at our two planters. So that's from Lowe's.

The Animal Shelter has been given their certificate of occupancy, and Mr. Ockington will probably have a few words about that. I also received official word from the Division of Water on the new rates. And there's four categories when you deal with the Cleveland Water Department. The cheapest rates are in the City of Cleveland, the second one is the low and first high service suburbs, the third is the second high and service suburbs, and the fourth is the third high and service suburbs. This usually means the farther you are from Cleveland the higher your rates go. But we're surrounded on three sides by Cleveland, so we fall into the lowest category of the suburbs. It gets kind of involved, but I'll give you an example. If you own your home and you are eligible for the Homestead discount, you're paying 8.66 per mcf now. This goes on all the way to 2015. By 2015 you'll be paying 16.27 per mcf. So basically your water bill by that time is going to double from what it is now. And just so you remember, an mcf is 1,000 cubic feet, and that equals 7,500 gallons. And this is just the Water Department's increase, it has nothing to do with what we talked about with the sewer. So our rates are going to go through the roof in the next few years.

I constantly get information from the Census Bureau. And this doesn't mean much to anybody, but I'm a nut with statistics. Under the new Census from 2010, the United States' population was 308,745,538. And that puts the center of the United States, population wise, in a place called Plato, Missouri, and that has a population of 109 people. So for the next 10 years that'll be their claim to fame, being the center of the United States. And everybody talked about the Memorial Day parade so I won't get into that.

Also this Saturday I was invited with the Friends of Big Creek to go down, meet behind the fire station and go down in that area, we all called it the Kingdom when I was a kid, but it's called the Oxbow Area. And they wanted to show all the wildlife and everything that's there. And basically they wanted to impress on me that we should legislate that'll leave that untouched for development and should stay a wildlife area. And there were people with us from the Western Cuyahoga Audubon Society. They could name every bird by the sound it gave. And they said that last year they did a survey down there, and they found 56 different species of birds in that little area down in the Oxbow. So their whole purpose was to, like I said, was to get me to pass legislation to keep it in the wildlife position, and I said well we have no intentions of doing anything with that, but we'll look into it.

Okay, now to get to American Greeting. I mean, I could have wrote a nice big speech and read it off; but everybody knows me by now, I like to talk from my heart. You make a lot of mistakes, but at least you know you're being honest. And when American Greeting announced this, I had no experience with dealing with businesses. So we called in experts. We brought in experts from the banking industry, we brought in experts from the bond industry, and we brought in financial experts. All of them said the same thing to me. They said, you understand Mayor this has nothing to do with that half a percent increase. Well I thought it did, like most people did. They said that doesn't affect their bottom line, that has nothing to do with it. But I want everybody to know, when I met with American Greeting when I became Mayor, the first, the very first thing I offered was, we'll go back to the voters and take this from 2½ down to 2; they didn't want to hear

that, that wasn't enough. They wanted me to take it down to 1.5. I said it hasn't been there in 25 years. I said if you move out and we're down that low, that would be like losing three American Greetings. They still weren't done. They said we also want you to pay back what you've already collected from us. So they set something that was impossible for us to meet. But I didn't lose my... I have a short temper, I've lost it a little bit as I got older; but just that one thing. And it went like that every time we suggested something. They would go, well that's nice Mayor, but... And they would up the bar. It was very, very difficult. And I conferred with some of these other Mayors for these cities that they said they went to, and I talked to the one Mayor from Independence, and he said, you know Rich, he says, we didn't go after American Greetings, American Greeting came to us. We made them our offer, they said they would get back to us, and we haven't heard from them in eight months. So I think, this is my own personal opinion, Brooklyn did the most negotiation. And it's not like most people think, you sit on one side of the table and you say something. It's not like that at all. We make our offer, and they nod their heads and say we'll get back to you, and they get back to you two or three weeks later, only they up the bar. That would be like if you went to buy a new car, and the price was 25,000 and you said well I've got to go home and talk it over with my wife, and you come back and say ok I'll pay the 25,000; well, now it's 30,000. Well wait a minute. So you go back and say, okay, we can take a mortgage, a second, you come back, and now it's 40. That's the way it went. So finally, it was my decision, I had to draw a line in the sand that says we can't beyond this. I said, we understand you bring \$3 million to our city, but we cannot give you \$6 million to come here. And then in my one meeting they used the word culture. And at the time I didn't quite understand what that meant. I thought it meant the business culture or whatever. I think it meant the culture of our city; because we're a blue collar community, an inner ring suburb. Our people make \$40,000 a year, and in Westlake they can go to a high end city that makes double that. And I had Ridge Park Square to compare to their Crocker Park. I think we were up against a brick wall. In my opinion, and I think it's the rest of us on our committee, we made the best possible offer a city our size could make; and I feel comfortable that I did the best I could. In fact, when they announced this, I felt a big relief come off of my shoulders, because that's all I worried about day and night for the last year and a half, was how I'm going to keep them here.

There's a few other things I'd like to say. There were people behind the scenes that helped us, and helped us a lot. And I want you to know who they were. On the federal level it was Dennis Kucinich. And he has a reputation of going, you know how his reputation is against big business. He was chomping at the bit to help me all the time. In fact, I had to hold him back a little bit. But anyways, he was in our corner from the federal level. On the state level our 15th District Representative Tim DeGeeter. They all had the same thing, stay in Brooklyn. It wasn't say stay in Ohio, they said we want you to stay in Brooklyn. And they fought for us. And Mr. DeGeeter went up there privately, on my behalf, to try to get American Greeting to stay here. On the county level it was Ed FitzGerald. And he had the same thing. He told me, he said, Rich, it doesn't do this county any good to make one city happy and the other one mad in this county, we have to work together. And he went up there also on our behalf and he argued that you should stay in Brooklyn. And also, we're on the same page when we talk about poaching. And I left word for Mr. FitzGerald that when the county wants to put together a committee on poaching I'll be more than happy to serve on that committee. Because it doesn't help us at all for one city in this county to take a business away from another city. But if you had an agreement... Let's say we had an agreement in place, so Westlake would take them, but for the next five years they would have to give us half of the city income tax. That would help us tremendously. And then in five years, hopefully, we'd have this building attendance in there. So I want you to know that... And like Mr. Murphy was saying about being, having everybody know about this. We did this for American Greeting. They insisted they didn't want this played out in the papers. They love their privacy. You can ask the reporters that are here tonight, they can never get in that building. They do not like publicity. So we had agreed to them, we would try to keep everything within our group, and that's what we did. It was hard. If I was a Councilman too I would want to know what's going on. But as soon as you expand it to seven more people, it keeps going on and on. It would leak out, what your position was. So we kept our part of the bargain. We kept it for a year and half, we tried to keep it. And a lot of things we had to just do verbally, because once you put it down on paper, the Freedom of Information Act, they could get all this. It was very difficult. But in my heart I know we gave the best offer this city could possibly give. Thank you."

President Pucci: "Thank you. Next we'll move on to directors' reports, and we'll begin with the Service Department, Mr. Verba."

Dir. Verba: "Thank you Mrs. Pucci. Just to let the residents know, that rubbish pickup will be one day late the week of May 30th to June 3rd, due to Memorial Day holiday. Tiedeman Road construction will begin on

Tuesday, May 31st. Residents and businesses in the area should be receiving more information from the county in the mail this week. I have some good news to report. We've taken down several of our vehicles to the Greater Cleveland Auction, and have a profit so far of \$29,780. That concludes my report."

President Pucci: "Thank you. And for those of us who will be participating, we're still on for this Thursday for the trip to Akron for the automated trash."

Dir. Verba: "Yes we are, 8:00."

President Pucci: "Thank you. Next is the Building Department, Mr. Ockington."

Comm. Ockington: "Thank you Mrs. Pucci. As the Mayor stated, the Certificate of Occupancy was issued to the Brooklyn Animal Shelter. The project was completed for approximately \$5,000 under the budget established by Ordinance 2008-72. That completes my report."

President Pucci: "Thank you. Police Department, Chief Tenaglia."

Chief Tenaglia: "This past week when we had some nicer weather, the company that I had contracted with to put signage up on the railroad overpass at Ridge and 480, they finally got it up. And the sign states, lane shift. So we're going to give them, the motoring public, a couple weeks to get used to it, and if they're not used to it after that time, officers will be up there for educational purposes. That's all."

President Pucci: "Just a thought. I see Mr. Holan is here, maybe we could get something in the Sun News so that people in the area are aware of it. Because I know a lot of people are out in Parma when they are traveling that route. I think it would be helpful if you could get something in the media to alert people that, you know, once we give people a chance to get used to the signage that, you know, there will be consequences if they don't follow it. Because we've had a couple pretty serious near misses up there for people not following the lanes up there. Thank you. Next is the Fire Department, Chief Zemek."

Chief Zemek: "Thank you Mrs. Pucci. Remarks on the pancake breakfast. I just wanted to thank all of our personnel for stepping up and doing what they did. The shift before for cleaning the Fire Station, A shift, getting it ready. Kay from the Senior Center for putting us on the track of how to conduct a pancake breakfast. And also, I just want to mention that four of our firefighters went down to Columbus with myself on May 18th, where they received the award called Star Light Award, for their lifesaving efforts on the gentleman in October. This is a prestigious award. Region 9 consists of the five counties, all Fire and EMS Departments in those counties, and Brooklyn Fire, and those four gentlemen won that award. The other thing I want to mention is, if anybody's driven by the Fire Station you see that there's some landscaping going there, and mulching. That's the firefighters are doing it. So I really want to share my appreciation again with the people for stepping up and just doing it. And being proud of what their house looks like. Tonight on your agenda is the Ordinance 2011-35. I would like to stress to see if we could adopt that tonight through emergency measures. It's with the Cuyahoga County Emergency Plan as part of our, in light of the natural disasters that are occurring across the United States. I really want to stress that it's very important to. A lot of cities in the county have adopted this and recognizing their plan. This, number one, gives you the resources that you need, in the event of a major incident. It allows us to pull from the county and the state, and also gives us an ability to retrieve mitigations costs also. So that concludes my report. Thank you very much."

President Pucci: "Thank you."

Councilman Magrey: "May I be recognized?"

President Pucci: "Yes."

Councilman Magrey: "I'm sorry, but I missed this in my report. Chief, I too attended the pancake breakfast. I wanted to extend a thank you, a specific thank you, to Gary Husak. I know all the firefighters were there, they had spouses and family. But Gary really did a good job. And everyone felt welcome. It was a really good community event, and I hope it continues. Thank you very much."

Chief Zemek: "Thank you."

President Pucci: "Thank you. Next is the Recreation Department, Mrs. McGinty."

Asst. Mgr. McGinty: "Good evening. And no report tonight. Thank you."

President Pucci: "Thank you. Safety Director, Mr. Chessar."

Dir. Chessar: "Thank you Mrs. Pucci. No report this evening."

President Pucci: "Finance Director, Mr. Kennedy."

Dir. Kennedy: "Just in addition to what we discussed in the Finance Committee meeting, we have our draft Comprehensive Annual Financial Report that will be going down state tomorrow. So the audit's on schedule. That phase of the audit has to be completed by the end of May, and then the field work and final audit will be done by the middle of June. So I'll keep you apprised of when the post-audit conference is. We have no issues that have come up during the audit so far. That's it, thank you."

President Pucci: "Law Director, Mr. Claussen."

Dir. Claussen: "Thank you. First of all, I believe Mr. Patta's going to address this, but we've talked about it, so Ordinance 2011-29, he gave me a proposal recently, and I just, prior to adopting it, I should run it by Chief. And I know he sent it to them as well; but we didn't really have too much discussion on it because I was out of town this weekend. And so the Chief, I think, should get it and discuss it with the Prosecutor, because they're the ones that really use it. So I believe he's going to ask for that to be tabled, that was my understanding. So I'll let him discuss that. But I wanted to bring it to your attention. And then secondly, I know people have been talking about the, you know, why the American Greetings' proposals and all of that were kind of kept quiet, and why there were, you know, only a few limited people were involved. I just wanted to kind of address that. We found sort of a loophole around the Public Records Law, in order, and we did it on purpose, we were trying to keep it quiet. It's hard to negotiate when your proposal becomes public record, and all the cities who are around, vying against you and your proposal. And when you make a proposal or document, the more people that get it, the harder it is to keep it out of the Public Records Laws. So I just wanted to address that from a legal standpoint. I guess not from a legal standpoint, I know a few people have been brought up, bringing up reducing the taxes now. We just lost, in the next couple years, \$3 million from them leaving. I don't know if adding \$3 million to that by reducing the tax would be a good idea right now. I know if a company, you know, is planning on coming in and that's one of their bones of contention, address it then. But I just wanted to kind of bring that up. So thank you."

President Pucci: "Thank you. Okay, next we have appointments to Tax Incentive Review Council. This is addressed to Mayor Richard Balbier and Councilmembers from Mrs. Migliorino. 'The City of Brooklyn needs to appoint two members to the Brooklyn Tax Incentive Review Council to complete our Community Reinvestment Area legislation. A change in procedures was established by County Executive FitzGerald, relative to the TERCs. And Executive Director FitzGerald of the county has made the determination to appoint four county representatives to the Brooklyn Tax Incentive Review Council, leaving Brooklyn two appointments, and one member from the Brooklyn City School District. The County representatives will include: Chair from the Auditor's office, one appointee from Budget Department, one from Treasurer's office, and one from the Department of Development. Marti Ferian, Finance Director from the Brooklyn City School District will serve as the school representative. The Mayor would like to make two recommendations to the Brooklyn TERC: Dennis Kennedy, the Finance Director, and Deborah Tomusko, resident. We will then, by law, have a seven member Council. Thank you very much.' And all of Council received both of the resumes, so I think we will address these one at a time. We need a motion to confirm the appointment of Mr. Kennedy to the Brooklyn Tax Incentive Review Council."

Councilwoman Gallagher: "So move."

Councilman Magrey: "Move to approve."

Councilman DeMarco: "Second."

Clerk Banish: "To confirm the appointment, Tony DeMarco."
"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

President Pucci: "And the other appointee is Miss Deborah Tomusko, who will be our resident representative."

Councilwoman Gallagher: "Move to approve."

Councilman Magrey: "Second."

Clerk Banish: "To confirm the appointment, Tony DeMarco."
"John Patta."
"Colleen Gallagher."
"Joe Magrey."
"Kevin Tanski."
"Tom Murphy."
"Kathy Pucci."

Councilman DeMarco: "Yes."
Councilman Patta: "Yes."
Councilwoman Gallagher: "Yes."
Councilman Magrey: "Yes."
Councilman Tanski: "Yes."
Councilman Murphy: "Yes."
Councilwoman Pucci: "Yes."

President Pucci: "Next we have the public participation for legislative items on our agenda this evening. If any member of the public has any comment or question for legislative items on our agenda this evening, please step forward to the podium, state your name and address for the record, and please observe our three minute time limit."

Bill Anderson: "Again my name is Bill Anderson, I live at 4338 Radoan Road. Again I'll bring up the same thing. I've been at Finance Committees too, and I thought this was kind of settled to some degree, but obviously you're saying youse got to talk to the Chief now, and it's not going to be continued on the second reading tonight. I don't know if I'm understanding you or not, on Ordinance #2011-29, as far as the firearms of Chapter 539. Are we changing that all around tonight?"

President Pucci: "I could answer that. No. Mr. Patta had proposed some revisions to the wording, and Mr. Claussen would like to confer with the Chief of Police and our Prosecutor before we make a decision if we're going to amend it."

Mr. Anderson: "Well that's what I'm wondering. It's not going to be like it originally was for tonight."

President Pucci: "We can either put it on second reading and then amend it at the next meeting, or we can hold in abeyance or we can table it."

Mr. Anderson: "Okay, that's what I wondered. You're going to tell us tonight though."

President Pucci: "Yes."

Mr. Anderson: "Okay, thank you."

President Pucci: "Thank you. Does anyone else have any comment or question regarding legislative items on our agenda this evening? Okay, we'll move forward. **ORDINANCE 2011-19**, which is up for second reading. Amending Section 1507.05 of the Codified Ordinances of the City of Brooklyn entitled Residential Smoke Detectors, to require the installation of photoelectric smoke detectors under certain circumstances and other updates. This was part of an original ordinance that we had that addressed from both the Fire Code and the Building Code some changes to over time requiring residents to switch over to the photoelectric smoke detectors. And we decided because it was too difficult with all the cross-references with

the State Code to break it up. So this is the one that deals with the Building Code. So we need a motion to put on second reading."

Councilwoman Gallagher: "Move to put on second reading."

Councilman Tanski: "Second."

Clerk Banish: "To place on second reading, Tony DeMarco."

"John Patta."

"Colleen Gallagher."

"Joe Magrey."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Councilwoman Gallagher: "Yes."

Councilman Magrey: "Yes."

Councilman Tanski: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

President Pucci: "**ORDINANCE 2011-29**, which is scheduled for second reading this evening. Amending the Codified Ordinances of the City of Brooklyn by amending Section 539.12(A) entitled Fire Arms of Chapter 539, Parks and Playgrounds. And Mr. Patta, did you want to be recognized?"

Councilman Patta: "Yes please. I'd move at this time that we table this till next week so that Mr. Claussen can have an opportunity to review this with the Chief and the Prosecutor."

President Pucci: "Do we have a second to that?"

Councilwoman Gallagher: "Move to table."

Councilman Magrey: "Second."

Clerk Banish: "To table, Tony DeMarco."

"John Patta."

"Colleen Gallagher."

"Joe Magrey."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Councilwoman Gallagher: "Yes."

Councilman Magrey: "Yes."

Councilman Tanski: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

President Pucci: "Next is **ORDINANCE 2011-33**, which is up for second reading. Replacing Section 1369.01 of the Codified Ordinances of the City of Brooklyn entitled, Smoke Detectors Required in all residential and multi-family units. And this is up for second reading."

Councilwoman Gallagher: "Move to put it on second reading."

Councilman DeMarco: "Second."

Clerk Banish: "For second reading, Tony DeMarco."

"John Patta."

"Colleen Gallagher."

"Joe Magrey."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Councilwoman Gallagher: "Yes."

Councilman Magrey: "Yes."

Councilman Tanski: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

President Pucci: "**ORDINANCE 2011-35**. To adopt the Cuyahoga County Emergency Operations Plan as all or part of the City of Brooklyn's emergency operations as a result of natural and/or manmade occurrences. And the Chief has asked us to pass this by emergency measure this evening so that we will be included. And just so everyone is aware, Mary-Jo has the copy, if you'll hold it up, this is how large it is. And because of certain information that is contained in the county's emergency plan, it is not a public record. So

if any Councilperson would care to read all or any part of it, they're free to go in to Mary-Jo's office to view it. But this is not a public record."

Councilwoman Gallagher: "Introduced by all, suspend the rules."

Councilman Magrey: "Second."

Clerk Banish: "To suspend the rules, Tony DeMarco."

"John Patta."

"Colleen Gallagher."

"Joe Magrey."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Councilwoman Gallagher: "Yes."

Councilman Magrey: "Yes."

Councilman Tanski: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

Clerk Banish: "To adopt, Tony DeMarco."

"John Patta."

"Colleen Gallagher."

"Joe Magrey."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Councilwoman Gallagher: "Yes."

Councilman Magrey: "Yes."

Councilman Tanski: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

President Pucci: "**ORDINANCE 2011-36**. And we're going to pass this by emergency measure this evening. This is to extend our moratorium for the internet cafes. Thank you to Mary-Jo and Tom Ockington. Unbeknownst to us, this was going to expire this week. So we're going to be extending it. And I believe, because Council was not given this in writing beforehand, I have to read this in its entirety. Is that your understanding Mr. Claussen?"

Dir. Claussen: "I didn't know that it wasn't given before. It wasn't?"

President Pucci: "No, we just amended our agenda this evening. So I'm going to read it in its entirety."

Dir. Claussen: "That's fine."

President Pucci: "And then we'll pass by emergency measure."

Amending Section 1 of Ordinance #2010-51, as amended by Ordinance 2010-65 and 2011-1 entitled, Establishing a temporary moratorium on the acceptance and processing of applications for permits for sweepstakes terminal cafes, or any premises that wishes to contain computerized sweepstakes devices, and the issuance of such permits, and declaring an emergency. Now, therefore, be it ordained by the Council of the City of Brooklyn, County of Cuyahoga and State of Ohio. Section 1. That Section 1 of Ordinance 2011-1, which currently reads as follows: "Section 1: For a period of 120 days from the effective date of this Ordinance, Ordinance 2011-1, the City shall not accept and process any applications for permits for sweepstakes terminal cafes, or any premises that wishes to contain computerized sweepstakes devices, and shall not issue any permits for sweepstakes terminal cafes or any premises that wishes to contain computerized sweepstakes devices during said 120 day period." Shall be amended, and as amended shall read as follows: "Section 1: For a period of 180 days from the effective date of this Ordinance, Ordinance 2011-36, the City shall not accept and process any applications for permits for sweepstakes terminal cafes, or any premises that wishes to contain computerized sweepstakes devices, and shall not issue any permits for sweepstakes terminal cafes or any premises that wishes to contain computerized sweepstakes devices during said 180 day period." Section 2. All former ordinances or parts therein conflicting or inconsistent with the provisions of this Ordinance or any part hereof are hereby repealed. Section 3. Whenever the provisions of this Ordinance conflict with any other ordinance or any provision of the Codified Ordinances of the City, the provisions of this Ordinance shall control. Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section

121.22 of the Ohio Revised Code. Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the City of Brooklyn and its residents and property owners, and for the further reason that it is necessary to impose an immediate temporary moratorium to have a pause for planning purposes so as to further the orderly development of the City with respect to sweepstakes terminal cafes and/or entertainment device cafes and/or establishments operating mechanical, electrical, and/or electronic devices; wherefore, this Ordinance shall be in full force and effect immediately upon its adoption and approval by the Mayor. So we need a motion to suspend the rules."

Councilman DeMarco: "Introduced by all, suspend the rules."

Councilman Tanski: "Second."

Clerk Banish: "To suspend the rules, Tony DeMarco."

"John Patta."

"Colleen Gallagher."

"Joe Magrey."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Councilwoman Gallagher: "Yes."

Councilman Magrey: "Yes."

Councilman Tanski: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

Clerk Banish: "To adopt, Tony DeMarco."

"John Patta."

"Colleen Gallagher."

"Joe Magrey."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Councilwoman Gallagher: "Yes."

Councilman Magrey: "Yes."

Councilman Tanski: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

President Pucci: "Does the Mayor or any other member of Council have anything else they'd like to say?"

Mayor Albier: "Yes."

President Pucci: "Yes Mayor."

Mayor Albier: "I neglected to mention with American Greeting, when Mr. Kennedy and I met with them last Thursday, he ended the conversation by saying it would be three years before they physically move out of there. And they don't want to move out and just leave a for sale sign in front of the building. He said he'll do everything in their power to work with the state, the county and the City of Brooklyn to get someone, to get a tenant in there, or sell part of the property, so there's something physically there when they leave to lessen our burden. So if there's anything good out of this whole thing, that his last statement was good. Thank you."

President Pucci: "Any other member of Council have anything they'd like to say? If not, we need a motion to adjourn."

Councilman Tanski: "Motion to adjourn."

Councilman DeMarco: "Second."

Clerk Banish: "To adjourn, Tony DeMarco."

"John Patta."

"Colleen Gallagher."

"Joe Magrey."

"Kevin Tanski."

"Tom Murphy."

"Kathy Pucci."

Councilman DeMarco: "Yes."

Councilman Patta: "Yes."

Councilwoman Gallagher: "Yes."

Councilman Magrey: "Yes."

Councilman Tanski: "Yes."

Councilman Murphy: "Yes."

Councilwoman Pucci: "Yes."

Meeting adjourned.

Asst. Clerk of Council

President of Council